

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *PG* D.C.
05 MAY -2 AM 10:36
ROBERT R. DELTROLO
CLERK, U.S. DIST. CT.
W. TENN., MEMPHIS

GENE ANDERSON

Plaintiff,

vs.

Civ. No. 05-2012-DP

THE CITY OF GERMANTOWN,

Defendant.

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on May 5, 2005. Present were James E. King, Jr. and Bradley W. Eskins, Jr., counsel for plaintiff, and Edward J. McKenney, Jr. and Elijah Noel, Jr., counsel for defendants. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1): May 19, 2005.

JOINING PARTIES: July 5, 2005.

AMENDING PLEADINGS: July 5, 2005.

INITIAL MOTIONS TO DISMISS: August 5, 2005.

COMPLETING ALL DISCOVERY: January 5, 2006.

(a) DOCUMENT PRODUCTION: January 5, 2006.

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: January 5, 2006.

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

- (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION:** November 4, 2005.
- (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:** December 5, 2005.
- (3) EXPERT WITNESS DEPOSITIONS:** January 5, 2006.

FILING DISPOSITIVE MOTIONS: February 6, 2006.

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a **jury** trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last approximately **three to five (3-5) days**.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

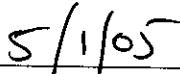
At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



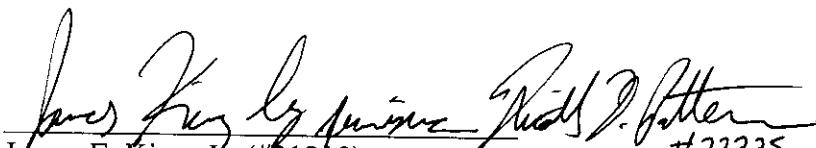
TU M. PHAM
United States Magistrate Judge



Date

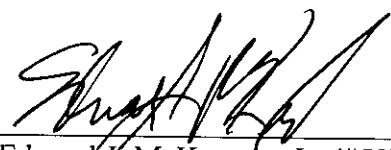
APPROVED FOR ENTRY BY:

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Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02012 was distributed by fax, mail, or direct printing on May 4, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT